

117

**TOWNSHIP OF GALLOWAY
REGULAR MEETING OF THE TOWNSHIP COUNCIL AND UTILITIES DIVISION
MINUTES OF OCTOBER 25, 2011**

Having been properly advertised and posted in accordance with the Open Public Meetings Act, this meeting was called to order by Mayor Keith Hartman at approximately 6:30 PM. Reverend Mantelle Bradley of the St. Mark and All Saints Episcopal Church gave the invocation and announced various upcoming events to be held at the Church. The flag salute was lead by Councilman Coppola.

ROLL CALL Present: Bassford, Coppola, Gorman, Kleiner, Ullman and Hartman
Absent: Purdy

Solicitor Blee, the Township Manager and the Township Engineer were also present.

APPROVAL OF MINUTES

On a motion of Bassford, second of Gorman, the regular meeting minutes of October 11, 2011 were unanimously approved by roll call vote.

On a motion of Bassford, second of Kleiner, the closed session meeting minutes of October 11, 2011 were unanimously approved by roll call vote.

COMMITTEE REPORTS

Councilwoman Ullman reported on the progress of the new website.

ORDINANCE NO. 1841 An Ordinance Granting Consent and Permission to South Jersey Gas Company to Provide Gas to Galloway Township
Motions: Gorman / Bassford
Public Hearing: Ordinance 1841 was opened for public comment; none was offered.
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

RESOLUTIONS

281-2011 A Resolution authorizing refunds of overpayments of taxes due to appeals & overpayments
Motions: Bassford / Gorman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

282-2011 This Resolution awards bid to Seminole Const LLC in the amt of \$70,996.25 & is recommended by the Mgr, Dir of PW & Twp Eng.
Motions: Bassford / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

283-2011 This Resolution authorizes the reduction for Nantucket @ Galloway Phase I for site improvements & has been recommended & inspected by the Eng.
Motions: Bassford / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

284-2011 This Resolution authorizes the reduction for Antebi LLC for site improvements & has been recommended & inspected by the Eng.
Motions: Bassford / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

285-2011 This Resolution authorizes the reduction for Nantucket No. 1 @ Galloway Phase I for sewer improvements & has been recommended & inspected by the Eng

Motions: Bassford / Gorman

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MINUTES OF OCTOBER 25, 2011**

Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

- 286-2011** This Resolution extends the 1st option yr of the contract for Apparatus Maintenance to Cleggs Garage, Campbell Supply Co & Fire Apparatus Repair Inc, as they were the lowest responsible bidders.
Motions: Kleiner / Bassford
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y
- 287-2011** This Resolution allows the PD to contract services for Veterinary services per dog.
Motions: Coppola / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y
- 288-2011** This Resolution authorizes the release of the performance guarantee & waives the maintenance guarantee for sewer improvements & was inspected by the Eng.
Motions: Bassford / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Abstain
- 289-2011** This Resolution appoints Cinthia Fiorentino as Deputy Registrar of Vital Statistics.
Motions: Bassford / Ullman
Roll Call: Bassford – Y, Coppola – Y, Gorman – Y, Kleiner – Y, Ullman – Y, Hartman – Y

Solicitor Blee announced that agenda items 11I, 1 or 2 may be acted upon following closed session.

CONSENT AGENDA

On a motion of Bassford, second of Gorman, all were in favor to approve the membership application of Charles Kaplan to the New Jersey State Firemen's Association.

PAYMENT OF BILLS / RESOLUTION 291-2011

No one from the public commented. On a motion of Bassford, second of Kleiner, the payment of bills was approved by a roll call vote with all in favor.

CLOSED SESSION / RESOLUTION 290-2011

Solicitor Blee announced there would be two issues discussed in executive session. One falls under the litigation exception as it pertains to Hartman v. Galloway Township and he asked that Mayor Hartman and his attorney not be in attendance for that portion of the meeting. He briefly explained the background of the case.

The second reason for going into executive session is due to a request that falls under exception B3. He proceeded to read aloud the specific language that generally pertains to disclosure of material which constitutes unwarranted invasion of individual privacy including but not limited to information relative to the individual's personal or family circumstances. Blee recommended Council grant the request and suggested that if the matters discussed did not fall within the exception, Council could make the appropriate determination at that time.

Solicitor Blee read aloud page two of the closed session resolution advising the public as to the estimated time that the records could be released.

MANAGER'S REPORT: None

COUNCIL'S REPORT: Began at approximately 6:49 PM

**TOWNSHIP OF GALLOWAY
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MINUTES OF OCTOBER 25, 2011**

PUBLIC PARTICIPATION: Began at approximately 6:51 PM

Mrs. Jezycki, residing Gail Lane, commented favorably on the EMT's response to an emergency call at her neighbor's home. She specifically names EMT's Mike and Tom and said that she was very impressed with how they handled the situation. She also commented on recent lawsuits, press articles and the manner in which Council does not get along with each other.

Mr. Richard Price said that he was disappointed that no one on Council acknowledged Deputy Mayor Purdy's absence this evening was because he was in the hospital; he felt it should have been stated. Councilman Coppola agreed and apologized, stating that he has been visiting Mr. Purdy daily and he is doing well.

Seeing no one else from the public wishing to speak, the public portion of the meeting was closed. Council went into executive session at approximately 6:57 PM. At approximately 7:42 PM, they reconvened in public.

For the record, Mr. Douglas Steinhardt Esq. announced the name of his law firm and stated that he represented Mayor Keith Hartman. He addressed Council and stated that his client was withdrawing his request for Council to excuse his absences with deference to the Superior Court hearing that is scheduled for October 26, 2011. They will proceed with their order to show cause and let the Court render its decision.

Solicitor Blee gave a brief overview of the time-line of events leading up to this evening with regards to the Mayor's absences and the pending court hearing. Councilman Kleiner asked for clarification as to whether or not they could address any of the documents that have been supplied to the court. Blee stated that it was Council's discretion; Judge Johnson has denied a request to seal those documents so they are considered public record.

Councilman Kleiner read aloud from one of the court documents as follows: "Mayor Hartman discloses the identities of two individuals currently being investigated by the Atlantic County Prosecutor's Office for threats made against him. One of those individuals, Dennis Kleiner is the Mayor's fellow Councilman, who in fact submitted his own certification as to the Council's position." He also went on to finger Mr. Foster. Kleiner continued to read the Mayor's statement as follows: "prior to this time, I did not know exactly what was going on with the investigation and feared retribution from Mr. Kleiner and Mr. Foster when they found out that the prosecutor was investigating them."

Councilman Kleiner went on record stating that he believed the initial complaint was sometime around August that Keith came up with the idea he was threatened. The prosecutor's office has yet to contact me, call me, come to my office or come to my home. Nor has the Galloway Township Police Department. He also added to the record that he has been the subject of Keith's never-ending attempt to defame him for close a year now.

Councilman Kleiner proceeded to read into the record the following statement: It is now clear, after reading my colleagues affidavits that over this past year when my name was mentioned by Keith Hartman or anyone else working on his campaign that it was an elaborate attempt to set me up. That includes today's documents accusing me of being investigated for him fearing me. They have tried to paint a picture in circles in the community that portrays me as a bully, picking on him and his friends. All I'm doing is my job. And now, saying I'm part of a criminal investigation by the Atlantic County Prosecutor's Office - is an absolute lie. He is an absentee Mayor who was and is having an extra-marital affair with the Clerk per the text messages supplied by Don Purdy and has other affairs well known around the Township per Don Purdy's testimony and sworn affidavit. He is now trying to do anything possible to cover it up and that means lying to me, and to throw me and my friends under the bus to keep off his trail; he is willing to do it. What I am prepared to provide this evening is this - Keith manipulated Lisa Tilton into making a false claim against me for retribution in not supporting his reappointment to Council; positioned after his attempt for Assembly was squashed. I have to supply a document, which states, from Terri Lucarelli to Keith Hartman basically stating that until this nonsense with Dennis and Lisa is over, she is not to contact me or Keith Davis. Keith's reply was - it will be over whenever he wanted it to be over. Keith lied about me turning him into the Department of Labor; when he knew the entire time it was not me, only to try and tarnish my reputation. I have the documents supplied - in that text message he said "seriously, Kleiner wants F with me. He filed a wage and hour against my Company...I'll let him swing for this. Get your puppy dog on a leash or I'll let him swing". Kleiner asked - now who's doing the threatening? Keith spread rumors and lies about me being unfaithful to my wife and my family with rumors of affairs. He did this with the help of people working

TOWNSHIP OF GALLOWAY
REGULAR MEETING OF THE TOWNSHIP COUNCIL AND UTILITIES DIVISION
MINUTES OF OCTOBER 25, 2011

on his campaign; I received confirmation of this from various members of Council, namely Coppola and Purdy and I have the dates and times to support these conversations. Keith called Don Purdy in an attempt to blame me for a letter sent to his home in August; he alleged that I threatened him. I told Don it was impossible because I was in Disney with my daughter all week so unless it was mailed from Florida, it wasn't me. I never believed until yesterday that a letter even existed and I just chalked it up as another attempt to frame me. Now it is evident from Don's testimony, which I will read, that a letter was delivered but it never threatened him or his family – only exposed what most people were already aware of; the skeleton's in his closet. Before the October 11th meeting that Keith missed, Tony Coppola contacted him to find out why he would not be attending and to inform him that I planned on censuring him at that meeting. Keith's reply to Tony was good; he's falling right into my trap. What trap that is I'm still not aware of, but I'm sure today's documents have something to do with that. Keith admitted that he was in a relationship with the Clerk in the Press of Atlantic City on September 11th stating, "I have a personal relationship with the Clerk, nothing more"; which is clearly a lie after having the opportunity to review the text messages and to read the statements from Lisa to Don confirming there was more than a friendship. Keith, his friend and both of their wives have even attempted to soil my name and reputation at the school where our children attend, for nothing more than Keith's games, by saying that I was out to harm their children with a complaint to the Principal. I have done nothing to refute any of these, I've actually tried to have a conversation with Keith Hartman; Tony Coppola and Don Purdy tried to set them up, to no avail.

I would like to read into the record the one deposition from Deputy Mayor, Kleiner proceeded to read aloud a portion of Don Purdy's deposition as follows: with respect to 4 and 5 of the certification of Keith Hartman regarding threats, I personally had a conversation with the Mayor regarding this issue. On or about late August he informed me that certain threatening letters had been sent to his house and to Mr. Crowley. Mr. Crowley is a personal friend of Mayor Hartman's and was acting as his campaign manager in the upcoming election. Mayor Hartman indicated the letters contained threats in which these individuals would expose his personal life which included extra-marital affairs he had within the community. The allegations were that Mr. Crowley would drive him to the locations where he would engage in these extra-marital affairs. The Mayor also described the threats regarding his children were a warning to the Mayor that if the allegations became public, it would embarrass the children at their school. Mayor Hartman indicated to me that the threat to go public with the information were demands to remove himself from Council. I do not know whether those were threats to remove himself from his present status as mayor or not to choose reelection. At no point during the discussion with Mayor Hartman regarding the alleged threats did he indicate that the threats involved any type of physical violence. At all times, the threats appeared to be politically motivated and inappropriate, but not to the level where he believed his physical safety and the safety of his family was an issue.

He is also aware of a voicemail that was left by Roy Foster and the answering machine of Mayor Hartman's telephone; the statement was left by Mr. Foster on the machine as relayed to me by Mayor Hartman was "now that you cannot keep your girlfriend under control, and your girlfriend is suing my girlfriend, I'm letting you know that I am engaged". Roy being engaged is he's going to take action in politics. Not one time in any of those statements is the Mayor threatened physically. I was under the impression that he didn't receive a threat at all until recently that Don released what he was told. I've been on the receiving end of Keith and his games for a better part of the year. Most Council people know that; they've been informed of it and just recently a lot of it has come out. I take exception to the documents that were relayed to the Court this afternoon knowing that they are part of a public record and fingering me as part of a criminal investigation.

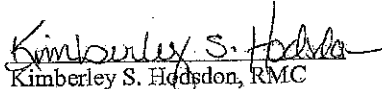
From what I just read, I don't see anything criminal and I had nothing to do with any of this. I would just like to let everybody out there know the games that have been going on in this Council. We've been doing our best to try to let them go and sweep them under the rug not to embarrass anyone. That's another quote they're trying to use against me now; I did say I didn't want to embarrass anyone. The text messages were available but I didn't want to embarrass anyone – I didn't want this to come out; I just wanted it to go away because people have families. But they keep on digging and pushing and this is where we are today. So for lack of the vote tonight, the public is now aware of what I've been going through and of the Deputy Mayor's statement under oath to Michael Blee about what the threats were and the content of them. At no time did the Deputy Mayor want to do this; he still considers Keith a friend and he had no other recourse other than to protect the Township and for us to do our jobs.

TOWNSHIP OF GALLOWAY
REGULAR MEETING OF THE TOWNSHIP COUNCIL AND UTILITIES DIVISION
MINUTES OF OCTOBER 25, 2011

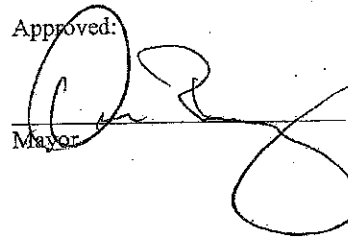
Mayor Hartman motioned to adjourn. There was no immediate second. Councilman Gorman stated that he was disappointed it had to come to this; the last few months it didn't look good in the papers for Galloway and when I asked for this statute to be looked at, it wasn't to keep the games going. It was to stop it. We've had enough. It's election time and no one is even paying attention to the issues; it's all about the dirt and it's a shame.

On a second of Bassford, this meeting was adjourned at approximately 8:00 PM.

Respectfully submitted,


Kimberley S. Hudson, RMC
Township Clerk

Approved:


Mayor

Deputy Mayor Coppola reported that a Veteran's day event is planned for Friday, November 11, 2011 to honor community Veterans with presentations and a free lunch.

Mayor Purdy clarified for the public that the bulk load charge reported by Kleiner would not be a large fee and would allow for equipment to be on site to assist residents in loading large amounts of mulch that they typically cannot handle on their own.

The Township Manager reported that the Safe Routes to Schools grant application process is underway with a deadline to apply in January. The Township is requesting upwards of \$200,000 to make improvements.

Councilman Kleiner reported on behalf of the Infrastructure Committee that they are still exploring the idea of assessing a bulk loading charge for assisting with large loads of mulch. He also reported on Patriot Lake and New Leaf Court.

COMMITTEE REPORTS

League of Municipalities for 2011 Innovation in Governance. Captain Kane described how the department strived to maintain the same level of service to the community in the midst of budget and program cuts.

Captain Kane of the Galloway Police Department was present to accept an award from the New Jersey Mr. Ike Rucker was to be given the same award as Mr. Maxwell, but was unable to attend the meeting. Mayor Purdy tabled the award until he could be present to accept it.

Mayor Purdy presented the Mayor's Award to Mr. Richard Maxwell for his outstanding contributions to the community in organizing the annual July 4th parade. The Mayor recognized the tremendous amount of time and effort Mr. Maxwell dedicates to the parade and thanked him for it. Mr. Maxwell said a few words and acknowledged the assistance of his family and other contributors.

PRESENTATIONS

On a motion of Coppola, second of Bassford, the regular meeting minutes of October 25, 2011 were approved by a roll call vote with all in favor, but for Tyrell who abstained.

On a motion of Kleiner, second of Bassford, the closed session minutes of October 25, 2011 were approved by a roll call vote with all in favor, but for Tyrell who abstained.

APPROVAL OF MINUTES

Deputy Mayor Coppola by Mayor Purdy.

Councilman Kleiner nominated Councilman Coppola to become Deputy Mayor. On a second of Bassford, a roll call vote was taken and all were in favor. The Oath of Office was administered to Councilman Kleiner nominated Deputy Mayor Don Purdy to become Mayor. On a second of Kleiner, a roll call vote was taken and all were in favor. The Oath of Office was administered to Mayor Purdy by the Honorable Gary Giberson, Mayor of Port Republic.

Deputy Mayor Purdy made the nomination to appoint Mr. Brian Tyrell to fill the unexpired term of Keith Hartman. On a motion of Bassford, second of Ullman, a roll call vote was taken and all were in favor of the appointment. The Oath of Office was administered to Councilman Tyrell, with his family present, by the Honorable, Judge Michael Blee. Councilman Tyrell took his seat on the dais.

NOMINATIONS TO FILL COUNCIL VACANCIES AND POSITIONS

Solicitor Blee, the Township Manager and the Township Engineer were also present.

Absent: NONE

ROLL CALL Present: Bassford, Coppola, Gorman, Kleiner, Ullman and Purdy

Having been properly advertised and posted in accordance with the Open Public Meetings Act, this meeting was called to order by Deputy Mayor Don Purdy at approximately 6:30 PM. Pastor Barry Ross of the Word of Life Christian Fellowship gave the invocation and announced various upcoming events to be held at the Church. The flag salute was lead by Councilman Coppola.

TOWNSHIP OF GALLOWAY REGULAR MEETING OF THE TOWNSHIP COUNCIL AND UTILITIES DIVISION MINUTES OF NOVEMBER 9, 2011